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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,235	06/22/2001	Joan P. Blonder	42830-00234	8106
25231 7590 11/10/2008 MARSH, FISCHMANN & BREYFOGLE LLP 8055 East Tufts Avenue Suite 450 Denver, CO 80237				
EXAMINER				
LI, BAO Q				
ART UNIT		PAPER NUMBER		
1648				
MAIL DATE		DELIVERY MODE		
11/10/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

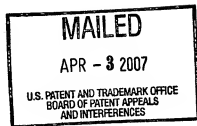
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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte JOAN P. BLONDER,  
CLAIRE M. COESHOTT,  
TIMOTHY C. RODELL,  
WREN H. SCHAUER, and  
GARY J. ROSENTHAL

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Application No. 09/888,235

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on January 16, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

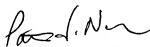
An Information Disclosure Statement (IDS) was filed April 11, 2006. It is not apparent from the record that the examiner neither considered the IDS nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner to:

- (1) consider the Information Disclosure Statement filed April 11, 2006, and;
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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PATRICK J. NOLAN  
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